

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN OHIO DISTRICT
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Case No. CR-2-13-256
JUDGE GREGORY FROST**

MICHAEL R. RUNYON,

Defendant.

ORDER

This matter came on for a hearing this 1st day of March, 2016 upon the Petition to Revoke the Defendant's Supervised Release Status. Defendant, Counsel for Defendant, and Counsel for the Government appeared.

At the hearing, Defendant admitted to violating:

Mandatory Condition No. 3: "The defendant shall refrain from any unlawful use of a controlled substance."

Special Condition No. 1: "The defendant shall participate in a program of testing and treatment for alcohol and controlled substance abuse, as directed by the United States Probation Office, until such time as the defendant is released from the program by the probation officer."

Standard Condition No. 2: "The defendant must pay the total criminal monetary penalties of \$1,740.33 (\$500.00 fine and \$1,140.33 restitution) in monthly installments of \$50.00 per month."

The Court accepted the admissions.

The matter was continued for sentencing until April 25, 2016. Pursuant to the United States Sentencing Guidelines (U.S.S.G.) 7B1.1(a)(2), Defendant has been found guilty of violating one Mandatory Conditions and two Special Conditions of Supervised Release which conduct represents Grade C violations. Based on Grade C violations and criminal history category I, the advisory guideline imprisonment range for revocation purposes is 5 to 11 months. See U.S.S.G. 7B1.4(a).

Relying upon the foregoing, the facts of this case, and the 18 U.S.C. 3553(a) factors, the the Court finds that Defendant has conducted himself in a proper manner, that he has had no new violations, and that Defendant has begun paying his financial obligations. Based upon those findings, the Court will not impose a sentence of imprisonment. Rather, the Court will continue Defendant's term of Supervised Release on the same terms and conditions as previously imposed. Defendant is released from electronic monitoring. Defendant shall arrange a payment schedule to complete paying on his financial obligations by the completion of his term of Supervised Release.

After sentencing, Defendant acknowledged his rights on appeal.

IT IS SO ORDERED.

s/ Gregory L. Frost
GREGORY L. FROST, JUDGE
UNITED STATES DISTRICT COURT